

Section 616rrrr, Pub. L. 91-270, §6, May 28, 1970, 84 Stat. 273, related to restriction on delivery of water for production of excessive basic commodities.

Section 616ssss, Pub. L. 91-270, §7, May 28, 1970, 84 Stat. 274, authorized appropriations for this division.

#### SUBCHAPTER LIV—TOUCHET DIVISION; WALLA WALLA PROJECT, OREGON-WASH- INGTON

##### §§ 616tttt to 616yyyy. Omitted

###### CODIFICATION

Section 616tttt, Pub. L. 91-307, §1, July 7, 1970, 84 Stat. 409, authorized construction, operation, and maintenance of Touchet Division, Walla Walla project, Oregon-Washington.

Section 616uuuu, Pub. L. 91-307, §2, July 7, 1970, 84 Stat. 409, related to irrigation payment contracts and repayment of construction costs.

Section 616vvvv, Pub. L. 91-307, §3, July 7, 1970, 84 Stat. 409, related to conservation and development of fish and wildlife and enhancement of recreational opportunities in connection with this division.

Section 616www, Pub. L. 91-307, §4, July 7, 1970, 84 Stat. 409, related to interest rate.

Section 616xxxx, Pub. L. 91-307, §5, July 7, 1970, 84 Stat. 410, related to restriction on delivery of water for production of excessive basic commodities.

Section 616yyyy, Pub. L. 91-307, §6, July 7, 1970, 84 Stat. 410; Pub. L. 94-175, Dec. 23, 1975, 89 Stat. 1030, authorized appropriations for this division.

#### CHAPTER 12A—BOULDER CANYON PROJECT

##### SUBCHAPTER I—BOULDER CANYON PROJECT ACT

- Sec.  
617. Colorado River Basin; protection and develop-  
ment; dam, reservoir, and incidental works;  
water, water power, and electrical energy;  
eminent domain.
- 617a. "Colorado River Dam Fund".  
    (a) Creation of fund; purpose; receipts  
        and expenditures under control of  
        Secretary of the Interior.  
    (b) Advancements to fund by Secretary  
        of the Treasury; allocation; repay-  
        ment; interest.  
    (c) Limitation on use made of advance-  
        ments.  
    (d) Unpaid interest on advancements;  
        charge on fund; rate of interest.  
    (e) Money in fund in excess of amount  
        needed; certification of fact; dis-  
        position.
- 617b. Authorization of appropriations.
- 617c. Condition precedent to taking effect of provi-  
sions.  
    (a) Ratification by interested States of  
        Colorado River compact; agree-  
        ments for apportionment of waters.  
    (b) Agreements for revenues to meet ex-  
        penses of construction, operation,  
        and maintenance of works.
- 617d. Contracts for storage and use of waters for ir-  
rigation and domestic purposes; generation  
and sale of electrical energy.  
    (a) Duration of contracts for electrical  
        energy; price of water and electrical  
        energy to yield reasonable returns;  
        readjustments of prices.  
    (b) Renewal of contracts for electrical  
        energy.  
    (c) Applicants for purchase of water and  
        electrical energy; preferences.  
    (d) Transmission lines for electrical en-  
        ergy; use; rights of way over public  
        and reserved lands.
- 617e. Uses to be made of dam and reservoir; title in  
whom; leases, regulations; limitation on au-  
thority.

- Sec.  
617f. Canals and appurtenant structures; transfer  
of title; power development.
- 617g. Colorado River compact as controlling au-  
thority in construction and maintenance of  
dam, reservoir, canals, and other works.
- 617h. Lands capable of irrigation and reclamation  
by irrigation works; public entry; pref-  
erences.
- 617i. Modification of existing compact relating to  
Laguna Dam.
- 617j. Omitted.
- 617k. Definitions.
- 617l. Colorado River compact approval.  
    (a) Approval by Congress.  
    (b) Rights in waters of Colorado River  
        and tributaries; Colorado River  
        compact as controlling.  
    (c) Patents, grants, contracts, conces-  
        sions, etc.; Colorado River compact  
        as controlling.  
    (d) Conditions and covenants referred to  
        herein; nature; how and by whom  
        availed of in litigation.
- 617m. Reclamation law applicable.
- 617n. Projects for irrigation, generation of electric  
power, and other purposes; investigations  
and reports.
- 617o. Officials of ratifying States; authority to act  
in advisory capacity; access to records.
- 617p. Claims of United States; priority.
- 617q. Effect on authority of States to control wa-  
ters within own borders.
- 617r. Consent given States to negotiate supple-  
mental compacts for development of Colo-  
rado River.
- 617s. Recognition of rights of Mexico to Colorado  
River waters.
- 617t. Short title.
- 617u. Lease of reserved lands in Boulder City, Ne-  
vada; disposition of revenues.
- 617v. Repealed.
- ##### SUBCHAPTER II—BOULDER CANYON PROJECT ADJUSTMENT ACT
618. Promulgation of charges for electrical en-  
ergy.
- 618a. Receipts from project; disposition.  
    (a) Defraying operating costs.  
    (b) Repayment of cost of construction.  
    (c) Commutation payments to Arizona  
        and Nevada.  
    (d) Transfer of sums to Colorado River  
        Development Fund; expenditure of  
        fund.  
    (e) Transfer to Lower Colorado River  
        Basin Development Fund.
- 618a-1. Availability of Colorado River Development  
Fund for investigation and construction  
purposes.
- 618b. Reduction of payments and transfers where  
revenue is insufficient.
- 618c. Charges as retroactive; adjustment of ac-  
counts.
- 618d. Readvances from Treasury where Dam Fund  
is insufficient to meet cost of replacements.  
Interest payments; rate.
- 618e. Repayment of advances for flood control.
- 618f. Regulations; contracts; modification of allot-  
ments of energy.
- 618g. Termination of existing lease of Hoover  
Power Plant; lessees as agents of United  
States; termination of agency.
- 618h. Effective date.
- 618i. Effect of refusal to modify existing contracts.
- 618j. Definitions.
- 618k. Repealed.
- 618l. Effect on existing laws and States' rights.
- 618m. Wages of employees.
- 618n. Short title.
- 618o.

Sec.

618p. Omitted.

## SUBCHAPTER III—HOOVER DAM CONTRACTS AND FACILITIES

619. Increase in capacity of existing generating equipment at Hoover Powerplant; construction of Colorado River bridge crossing.
- (a) Hoover Powerplant generating equipment; increase in capacity; improvement of appurtenances; authorization of Secretary.
  - (b) Construction of Colorado River bridge crossing; authorization of Secretary.
- 619a. Renewal contracts for power.
- (a) Offering of contracts by Secretary; total power obligation; conforming of regulations; contract expiration and restrictions.
  - (b) Prejudice of rights of contract holders under Boulder Canyon Project Act.
  - (c) Execution of contract with parties to certain litigation; offer of contract to other entities.
  - (d) Funding of uprating program.
  - (e) Deposit of uprating program funds in Colorado River Dam Fund.
  - (f) Amounts advanced by non-Federal purchasers; financial integration as capital costs.
  - (g) Congressional exercise of reserved right.
  - (h) Court challenges; disputes and disagreements.
  - (i) Congressional declaration of purpose.
- 619b. Reimbursement of funds advanced by non-Federal purchasers; uprating program; repayment requirement; visitor facilities program.

## CONSOLIDATION OF CERTAIN PROJECTS; EFFECT ON THIS CHAPTER

Act May 28, 1954, ch. 241, 68 Stat. 143, provided that: "For the purposes of effecting economies and increased efficiency in the construction, operation, and maintenance thereof and of accounting for the return of reimbursable costs, the Secretary of the Interior is authorized and directed to consolidate and administer as a single project to be known as the Parker-Davis project, Arizona-California-Nevada, the projects known as the Parker Dam power project, Arizona-California, and the Davis Dam project, Arizona-Nevada: *Provided*, That nothing in this Act shall be construed to alter or affect in any way the Boulder Canyon Project Act (45 Stat. 1057) [subchapter I of this chapter], the Boulder Canyon Project Adjustment Act (54 Stat. 774) [subchapter II of this chapter], or the treaty between the United States of America and the United Mexican States, signed at Washington on February 3, 1944, relating to the utilization of the waters of the Colorado and Tijuana Rivers and of the Rio Grande from Fort Quitman, Texas, to the Gulf of Mexico: *Provided further*, That nothing in this Act shall be construed to alter or affect in any way any right or obligation of the United States or any other party under contracts heretofore entered into by the United States.

"SEC. 2. Funds heretofore appropriated for the Parker Dam power project, Arizona-California, and the Davis Dam project, Arizona-Nevada, shall be consolidated and shall be and remain available for the purposes for which they were appropriated."

## SUBCHAPTER I—BOULDER CANYON PROJECT ACT

## CONSOLIDATION OF CERTAIN PROJECTS; EFFECT ON THIS SUBCHAPTER

Consolidation of Parker and Davis Dam projects as not affecting this subchapter, see note preceding this subchapter.

## SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in sections 392a, 618a, 618e, 618g, 618h, 618j, 618k, 618m, 619a, 620f, 620h, 620m, 1524, 1551, 1552, 1597, 1600g of this title; title 16 sections 410aaa-26, 410aaa-73.

**§ 617. Colorado River Basin; protection and development; dam, reservoir, and incidental works; water, water power, and electrical energy; eminent domain**

For the purpose of controlling the floods, improving navigation, and regulating the flow of the Colorado River, providing for storage and for the delivery of the stored waters thereof for reclamation of public lands and other beneficial uses exclusively within the United States, and for the generation of electrical energy as a means of making the project herein authorized a self-supporting and financially solvent undertaking, the Secretary of the Interior subject to the terms of the Colorado River compact herein-after mentioned in this chapter, is authorized to construct, operate, and maintain a dam and incidental works in the main stream of the Colorado River at Black Canyon or Boulder Canyon adequate to create a storage reservoir of a capacity of not less than twenty million acre-feet of water and a main canal and appurtenant structures located entirely within the United States connecting the Laguna Dam, or other suitable diversion dam, which the Secretary of the Interior is authorized to construct if deemed necessary or advisable by him upon engineering or economic considerations, with the Imperial and Coachella Valleys in California, the expenditures for said main canal and appurtenant structures to be reimbursable, as provided in the reclamation law, and shall not be paid out of revenues derived from the sale or disposal of water power or electric energy at the dam authorized to be constructed at said Black Canyon or Boulder Canyon, or for water for potable purposes outside of the Imperial and Coachella Valleys: *Provided, however*, That no charge shall be made for water for the use, storage, or delivery of water for irrigation or water for potable purposes in the Imperial or Coachella Valleys; also to construct and equip, operate, and maintain at or near said dam, or cause to be constructed, a complete plant and incidental structures suitable for the fullest economic development of electrical energy from the water discharged from said reservoir; and to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary for said purposes.

(Dec. 21, 1928, ch. 42, § 1, 45 Stat. 1057.)

## REFERENCES IN TEXT

The reclamation law, referred to in text, is defined in section 617k of this title.

## CHANGE OF NAME

Act Apr. 30, 1947, ch. 46, 61 Stat. 56, restored the name Hoover Dam to the dam on the Colorado River in Black Canyon known previously as Boulder Dam, and provided that any law, regulation, document, or record in which that dam is designated or referred to as Boulder Dam shall be held to refer to that dam under and by the name of Hoover Dam.